

# **EXHIBIT C**

**O'Connor, Kevin J.**

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**From:** O'Connor, Kevin J.  
**Sent:** Friday, May 19, 2023 7:35 AM  
**To:** Scott D. Stimpson  
**Cc:** Foltmer, Kevin M.; Katherine Lieb; Linxuan Yan; William Tellado; Thomas A. DellaCroce; Robert E. Schiappacasse  
**Subject:** RE: Earle/NVT

Scott, your email is disappointing. I've spoken to your office twice in the last three weeks about this subject, so this is not something that is being raised out of the blue. As of today, my understanding is that your client still has not taken a position one way or the other as to whether it intends to seek to vacate (or even confirm) the AAA Award which, inter alia, rejected Earle's claims of fraud, breach of fiduciary duty, breach of contract, etc. against my clients; which rejected Earle's assertions that PAI was no longer a licensee of the Pristec Technology; and which award also includes a finding that Earle validly holds the patent. Your suggestion that I need to explain to you the import of the award to this situation, in light of the Court's Order in this case staying the case pending the arbitration, speaks volumes of the disingenuousness with which you are responding. We will proceed accordingly.

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Certified by the Supreme Court of New Jersey  
as a Civil Trial Attorney



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**From:** Scott D. Stimpson <sstimpson@sillscummis.com>  
**Sent:** Thursday, May 18, 2023 7:43 PM  
**To:** O'Connor, Kevin J. <KOConnor@pecklaw.com>  
**Cc:** Foltmer, Kevin M. <KFoltmer@pecklaw.com>; Katherine Lieb <klieb@sillscummis.com>; Linxuan Yan <lyan@sillscummis.com>; William Tellado <wtellado@sillscummis.com>; Thomas A. DellaCroce <TDellacroce@sillscummis.com>; Robert E. Schiappacasse <rschiappacasse@sillscummis.com>  
**Subject:** RE: Earle/NVT

Kevin, thank you for your email.

First, it is obviously impossible for us to respond to your request "by the close of business today" when you send the request more than an hour after close of business.

Second, in the future we would appreciate receiving adequate time to consider such requests. You have known about this deadline for weeks and surely this could have been requested much earlier.

Third, and more fundamentally, your email does not explain how anything about the arbitration award – whether confirmed, vacated, or anything in between – could have any impact on our case. Please tell us your theory – why does it matter to your upcoming pleading?

I am travelling in Asia, but will endeavor to get you a response tomorrow after we receive your explanation.

Scott

**Scott D. Stimpson**

Chairman of the Intellectual Property Group



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**From:** O'Connor, Kevin J. <[KOConnor@pecklaw.com](mailto:KOConnor@pecklaw.com)>

**Sent:** Thursday, May 18, 2023 6:19 PM

**To:** Scott D. Stimpson <[sstimpson@sillscummis.com](mailto:sstimpson@sillscummis.com)>

**Cc:** Foltmer, Kevin M. <[KFoltmer@pecklaw.com](mailto:KFoltmer@pecklaw.com)>; Katherine Lieb <[klieb@sillscummis.com](mailto:klieb@sillscummis.com)>; Linxuan Yan <[lyan@sillscummis.com](mailto:lyan@sillscummis.com)>; William Tellado <[wtellado@sillscummis.com](mailto:wtellado@sillscummis.com)>

**Subject:** Earle/NVT

**\*\*\* External Email \*\*\***

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Scott:

The Court has granted us permission to file another motion to stay if necessary. I spoke to Bill and he does not yet have a firm answer on whether Earle Refining intends to challenge any aspect of the award. As you know, the Award can be challenged for up to three months. Even if I were to file a motion to confirm today it will take at least a month to be heard, before a judgment is entered.

Obviously my clients cannot answer at this juncture on the subject of some of the assertions your client has made, given that the award is not yet a final judgment and could be subject to attack by Earle.

I am writing to ask that your client stipulate to extend tomorrow's deadline for another 30 days to provide us time to work out these issues and avoid unnecessary motion practice. Please let me know by the close of business today if you will agree. Thank you.

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